

IN THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 14. This sheet, which includes Fig. 14, replaces the original sheet including Fig. 14.

Attachment: Replacement Sheet

REMARKS

Favorable reconsideration of this application, in light of the present amendment and following discussion, is respectfully requested.

Claims 21-48 are pending; Claims 1-20 are canceled without prejudice or disclaimer of the subject matter recited therein; and Claims 29-48 are newly added herewith. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 1-4, 6, 7, 9-15, and 21 were rejected under 35 U.S.C. § 102(e) as anticipated by Saitoh et al. (U.S. Pat. No. 6,693,338, hereinafter Saitoh); and Claims 8, 16-20, 23-25, and 28 were indicated as allowable, while Claims 22, 26, and 27 were allowed.

Applicants acknowledge with appreciation the indication of allowable subject matter in Claims 8, 16-20, and 22-28. Newly added Claims 29 and 30 represent the allowable subject matter of Claims 8 and 16.

Additionally, Applicants thank Examiner Owens for the interview granted Applicants' representative on July 14, 2005. During the interview, the differences between the pending claims and Saitoh were discussed. As further discussed during the interview, the outstanding rejection of Claims 1-4, 6, 7, 9-15, and 21 under 35 U.S.C. § 102(e) as anticipated by Saitoh is respectfully traversed.

Newly added Claim 31, which corresponds to a combination of Claims 1 and 17, includes allowable subject matter. Accordingly, it is respectfully submitted that Claims 31-48 are in condition for allowance.

With respect to Claim 21, Claim 21 recites, in part, that insulating films are interposed between the second semiconductor layer and the third semiconductor layers. This feature of Claim 21 was not addressed in the outstanding Office Action.

As illustrated, for example, in the non-limiting example of Figure 8, insulating layers 11 are interposed between the second and third semiconductor layers. It is respectfully submitted that Saitoh does not disclose or suggest this claimed configuration. Accordingly, it is respectfully requested that the outstanding rejection of Claim 21 be withdrawn.

Figure 14 has been amended herewith to correct a typographical informality. Accordingly, it is respectfully submitted that no new matter is added by this amendment.

Consequently, in view of the foregoing discussion and the present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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